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Special Political and Decolonization Committee (Fourth Committee)

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Held at Headquarters, New York, on Tuesday, 7 October 2003, at 3 p.m.

Chairman: Mr. Leodel (Uruguay)

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The meeting was called to order at 3.20 p.m.

Requests for hearings (A/C.4/58/2 and Add.1, A/C.4/58/3, A/C.4/58/4 and Add.1-9)

1. **The Chairman** drew the attention of Committee members to the requests for hearings relating to the question of Gibraltar, contained in documents A/C.4/58/2 and Add.1. If he heard no objection, he would take it that the Committee wished to grant the requests.

2. *It was so decided.*

3. **The Chairman** said that a request for a hearing relating to the question of the Cayman Islands was contained in document A/C.4/58/3. If he heard no objection, he would take it that the Committee wished to grant the request.

4. *It was so decided.*

5. **The Chairman** drew attention to 10 requests for hearings relating to the question of Western Sahara contained in documents A/C.4/58/4 and Add.1-9. If he heard no objection, he would take it that the Committee wished to grant those requests.

6. *It was so decided.*

Agenda item 19: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (Territories not covered by another agenda item) (A/58/23 (part II), chap. VIII-X, A/58/23 (part III), chap. XII (sect. D-F), A/58/171; aide-mémoire 1/03)

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Agenda item 12: Report of the Economic and Social Council (A/58/23 (part II), chap. VI, A/57/23 (part III), chap. XII (sect. C), A/58/66; A/C.4/58/CRP.1)

Agenda item 90: Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories (A/58/71)

7. **Mr. Zulu Kilo-Abi** (Democratic Republic of the Congo) said that, despite the tangible progress achieved in the area of decolonization, the way ahead was still strewn with obstacles. With a view overcoming those obstacles, he urged the administering Powers to take an active part in the work of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and to authorize United Nations visiting missions to go to the Non-Self-Governing Territories on a regular basis. He also urged United Nations bodies and intergovernmental and non-governmental organizations to participate actively in development projects in the Non-Self-Governing Territories. He called upon the international community to promote consciousness-raising and information activities regarding the situation in the Non-Self-Governing Territories, not only for the peoples directly concerned, but also for other peoples around the world, so that they could take an active part each year in the Week of Solidarity with the Peoples of Non-Self-Governing Territories. Lastly, he called for the rapid and effective implementation of the plan of action contained in document A/56/61. In conclusion, he reminded all Member States that the effective enjoyment of economic, social, and cultural rights found no more eloquent expression than in the genuine exercise of the inalienable rights to self-determination and independence.

8. **Mr. Ononye** (Nigeria) said that every effort should be made to avoid delay in granting independence to the Non-Self-Governing Territories. He called on the administering Powers to be more sensitive to the legitimate aspirations of the peoples of those Territories. He reaffirmed his delegation's full

support for all resolutions and efforts aimed at the complete elimination of colonialism.

9. With respect to Western Sahara, his delegation reaffirmed its support for the referendum process sponsored by the United Nations and the African Union. The United Nations/African Union Settlement Plan, which formed the basis for Nigeria's participation in the United Nations Mission for the Referendum in Western Sahara (MINURSO) process, was the only guarantee of the right to self-determination of the people of Western Sahara. He welcomed the adoption of Security Council resolution 1495 (2003) by which the Council stressed its support for the peace plan for the self-determination of Western Sahara.

10. **Mr. Baali** (Algeria) said that if there was one area where the Organization had enjoyed undeniable success, of which it could legitimately be proud, it was certainly decolonization. Nevertheless, the people of 16 Non-Self-Governing Territories remained under foreign occupation or administration in various regions of the world and were waiting to exercise their sacred right to self-determination like other peoples. That was the case for the people of Western Sahara, whose decolonization process had been littered with obstacles.

11. The referendum process provided for in the Settlement Plan negotiated under the auspices of the United Nations, relaunched by the famous Houston Accords, had once again stalled, the appeals process having been transformed into an identification process. The Framework Agreement on the Status of Western Sahara, which offered very limited autonomy, had not been accepted by the Security Council which had requested the Personal Envoy of the Secretary-General to submit to it a new proposal on the self-determination of the people of Western Sahara. The peace plan for the self-determination of the people of Western Sahara submitted by Mr. James Baker in January 2003, to the parties and the neighbouring States, was, from that point of view, an honest and balanced approach which provided a satisfactory response to the mandate given to the Personal Envoy by the Security Council in resolution 1429 (2002). His delegation strongly supported that plan and was prepared, as requested in Security Council resolution 1495 (2003), to continue to cooperate, in its capacity as a neighbouring State, with the Secretary-General and his Personal Envoy with a view to ensuring the success of the proposed solution, now that the international community, through the Security Council, had given it its full support. His

delegation expected the Fourth Committee and the General Assembly, which had always supported the right of the people of Western Sahara to self-determination, to provide their full support to the peace plan for the self-determination of the people of Western Sahara and to join with the Security Council in ensuring that the plan was implemented as rapidly as possible in order that the people of Western Sahara could become masters of their own fate and that harmony would once again prevail in the region.

12. **Mr. Namblar** (India) said that, although decolonization had truly been a success story of the United Nations, the General Assembly, in resolution 55/146 of December 2000, had nonetheless declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism. The remaining 16 Non-Self-Governing Territories served as constant reminders that decolonization was as yet incomplete. The Organization must redouble its efforts to ensure that that chapter was finally relegated to the pages of history.

13. First, it was important to pay special attention to the needs of the peoples of the Territories themselves, by finding the appropriate format and timing for the completion of decolonization in each Territory. Second, the administering Powers must work with the Special Committee in a spirit of cooperation, political realism and flexibility. The cooperation of the Government of New Zealand with the recent United Nations visiting mission to Tokelau and the support of the United Kingdom in organizing the Caribbean Regional Seminar, held for the first time in a Non-Self-Governing Territory, Anguilla, were examples of such cooperation. More United Nations visiting missions should be sent to the Territories in order to gather first-hand information about the conditions in the Territories and the wishes and aspirations of their peoples concerning their future status. Similarly, he looked forward to the holding of more seminars in the Non-Self-Governing Territories.

14. As a founding member of the United Nations and the Special Committee, India rededicated itself to the noble ideals enshrined in the Declaration on the Granting of Independence to Colonial Countries and Peoples and reaffirmed its commitment to the achievement of the goal of decolonization.

15. **Mr. Mackay** (New Zealand) welcomed the opportunity to discuss recent developments with regard

to Tokelau, a Non-Self-Governing Territory for which New Zealand continued to have responsibility. Since the previous year, the "relationship framework" had developed into a document called the Joint Statement on the Principles of Partnership between New Zealand and Tokelau, a document which was of a political rather than a legal nature and was intended to give the Territory some certainty and confidence as it worked towards self-determination. The Tokelau General Fono and the New Zealand Government had approved the text of the statement, which would be signed in Tokelau later in the year.

16. Agreement had also been reached on the establishment of the Tokelau Trust Fund, to which New Zealand and Tokelau had already contributed more than SNZ 6 million (US\$ 3.6 million). In July 2003, Tokelau had assumed responsibility for its entire budget. A member of the New Zealand Public Service was undertaking a two-year assignment with the Tokelau Public Service to assist with the setting up of new financial management systems and the training of staff.

17. At the same time, the General Fono had discussed a proposal that the Administrator's powers should be delegated to the Village Councils, instead of the General Fono as was currently the case. The General Fono had agreed to set 30 June 2004 as the target date for the transfer of those powers. If all went well, on 1 July 2004 the three Village Councils would be given responsibility for the full range of public services at the village level. In turn, the Village Councils would delegate to the General Fono responsibility for decision-making at the national level. In close consultation with the three Village Councils and with the support of the General Fono, a Commission of Inquiry was currently reviewing the capacity of the Village Councils to manage their public services in key areas such as health, education, economic development and shipping. Specialist New Zealand advisers were providing assistance to the Public Service of Tokelau in areas such as health, education, fisheries and economic development. The strengthening of the capacity of their public services should strengthen the confidence of the people of Tokelau in their own institutions and encourage them to move towards an act of self-determination.

18. An early requirement was to develop information material on the three options available to Non-Self-Governing Territories: integration, self-government in free association, and independence. His Government,

in cooperation with the United Nations Development Programme (UNDP), would be working to bring information material together in a suitable way as soon as possible. Tokelau was participating in that process and it was heartening to see that a series of constitutional workshops had been organized and that further workshops and other consultations would follow the development of the information material concerning the three options.

19. **Ms. Mulamula** (Republic of Tanzania), said that, as a member of the Special Committee on decolonization, her delegation associated itself with the Special Committee's report. She underscored the symbolic value of the Seminar, which had been held for the first time in a Non-Self-Governing Territory — Anguilla — with the consent of the administering Power. That was an achievement which should be emulated. It was a truism to state that, without the engagement of the administering Powers, the efforts of the Special Committee would be an exercise in futility. With that in mind, the administering Powers should work in partnership with the Special Committee to push the decolonization process forward. In that way the work of the General Assembly with respect to decolonization would be revitalized and there would be no need to abandon the Special Committee, whose agenda remained unfinished.

20. The United Nations should revise its approach as it had been challenged to do by the elected representatives of the people of Anguilla, by devising a mechanism for the practical implementation of the Declaration. In that regard, the Special Committee had developed a programme of action on the basis of a case-by-case work programme, setting out the targets for dealing with the 16 remaining Non-Self-Governing Territories before the end of the Second International Decade for the Eradication of Colonialism.

21. The question of Western Sahara, the last bastion of colonialism in Africa, remained a formidable challenge. It was her country's position that the right to self-determination of the people of Western Sahara could not be compromised through political expediency. The only viable solution was the holding of a referendum, as agreed by both parties. The road map to peace already existed. The latest proposal of the Secretary-General and his Personal Envoy offered a way forward. What was required was a show of political will by the parties. The international community had to rise to the occasion by supporting

the aspirations of the Saharan people who had so far been denied of their right to self-determination. The time had come for the Organization to act if it was to maintain its credibility in the defence of peace and justice.

22. It was evident from the Anguilla Seminar that the people in the Non-Self-Governing Territories and their elected representatives were not fully aware of the options available to them in exercising their right to self-determination. They needed to be educated on those options so that they could make an informed decision. It was up to them alone to decide on the kind of future they wanted. The Department of Public Information should do more to disseminate information on the role of the Organization in advancing the process of decolonization.

23. The recommendations of the Anguilla Seminar and other regional seminars and visiting missions needed to be fully integrated into the work of the General Assembly. Visiting missions were of prime importance since they provided an opportunity to review the developments in those Territories and educate the people on the options available to them. Attempts to stifle such missions would undermine the mandate of the Committee and the role of the United Nations. No effort should therefore be spared to defeat those attempts.

24. In conclusion, her delegation wished to underscore the fact that the decolonization agenda would have been completed if the administering Powers had lived up to their obligations under the Charter. The issue at stake was self-determination; the people of the Non-Self-Governing Territories should be given the opportunity to make an informed choice.

25. **Ms. Shiweva** (Namibia) said that since the decolonization of East Timor in 2002, no significant progress had been made in the rest of the Non-Self-Governing Territories. The Special Committee had, however, maintained its tireless efforts towards the implementation of the resolutions of the General Assembly. One of the main objectives of the United Nations was to promote decolonization in the Non-Self-Governing Territories. His delegation regretted that, under the pretext of the revitalization of the United Nations system, some parties sought to do away with the Fourth Committee, a move that was aimed at undermining the decolonization process and diverting the United Nations from its important agenda.

26. Having had the same experience, Namibia stood firm in its support of the peoples of the Non-Self-Governing Territories in their quest for freedom and independence under the auspices of the United Nations.

27. The question of Western Sahara remained a serious concern to Namibia and to Africa as a whole, and, in particular, to the people of Western Sahara who for almost three decades had continued to suffer under foreign occupation. Their aspirations to freedom and independence must be fully supported by Member States.

28. His delegation reiterated its support for the Secretary-General, his Personal Envoy, his Special Representative and the MINURSO team for their tireless efforts to secure a just and peaceful solution to the question of Western Sahara on the basis of the United Nations Settlement Plan. It called on the parties to accept and implement the Baker proposal without delay as it represented a viable solution to the peaceful settlement of the question of Western Sahara.

29. The people of the Non-Self-Governing Territories had placed high hopes and expectations in the United Nations to make freedom and independence a reality for all the peoples of the world. That was an obligation under the Charter and must be fully implemented.

30. **Mr. Musambachime** (Zambia) said that his country continued to strongly support the process of decolonization and the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. People all over the world should be free and should enjoy the inalienable right to self-determination and independence. He wished to commend the tireless efforts of the Personal Envoy of the Secretary-General, which had culminated in the 1997 Houston Accords and the detailed implementation plan submitted by the Secretary-General which envisaged the holding of a referendum on 7 December 1998, but regretted that the parties had not rewarded him for his efforts.

31. For Zambia, the question of Western Sahara remained a decolonization issue. Western Sahara was not a province of any country, but a country colonized by another. Since 1965, the General Assembly had consistently reaffirmed the inalienable right of the Saharan people to self-determination and independence.

32. Zambia remained convinced that the United Nations Settlement Plan was the only framework which would allow the Saharan people to exercise that right. Despite that conviction, it welcomed the new peace plan proposed by the Personal Envoy of the Secretary-General, because it created a new momentum which should lead to a fair and lasting settlement of the conflict. The people of Western Sahara should be allowed to exercise freely their right to self-determination, and should not be forced into incorporation. Zambia would continue to support the wishes of the Saharan people for self-determination and independence.

33. **Mr. Yahya** (Libyan Arab Jamahiriya) recalled that the General Assembly, in resolution 146/55, had declared the period 2001-2010 the Second International Decade for the Eradication of Colonialism and had called upon Member States to redouble their efforts to implement the plan of action contained in the report of the Secretary-General (A/56/61). However, little had been done. He welcomed the fact that the United Kingdom had cooperated in the organization of the Seminar held in Anguilla, in the Caribbean region, from 20 to 22 May 2003 and that New Zealand had shown its willingness to collaborate with the United Nations on the question of Tokelau by authorizing a visiting mission to the region in 2002 in order to observe at first hand the situation on the ground. However, as the representatives of the Non-Self-Governing Territories had pointed out at the Seminar in Anguilla, much remained to be done by the administering Powers, since they had to take specific measures to ensure that power would be transferred to the Territories. In that connection, significant economic, technical and cultural assistance would be required in order to establish the institutions and infrastructure that would allow them to be self-governing and achieve independence.

34. As far as the Trust Territories were concerned, it was important that the administering Powers should offer the people of those Territories a genuine opportunity to assess their aspirations to freedom and independence and make a choice rather than seek to bind them definitively with laws that would convert them into citizens of those States. The right of peoples to self-determination was sacred and efforts should be made to ensure that the peoples concerned could achieve their aspirations. To that end, he called on the

countries concerned to take into consideration the recommendations made at Anguilla.

35. Until those peoples were able to exercise their right to self-determination, the administering Powers must refrain from carrying out military exercises within the Territories and from using them as military bases, particularly for the carrying out of attacks against other States. They must also conserve the environment and the mineral resources of the Territories and exploit them in the interests of the people of the Territories, who must be treated in accordance with international law and customs.

36. In conclusion, he said that he supported the idea of providing the Special Committee with the means to carry out the mandate entrusted to it by the General Assembly and would oppose any attempts to weaken it.

37. *Ms. Ognjanovac (Croatia) took the Chair.*

38. **Mr. Kabtani** (Tunisia) said that the accession to national sovereignty of over one hundred countries during the past four decades represented a significant achievement for the United Nations. However, although considerable progress had been made over the past decade in the eradication of colonialism, much remained to be done in order to eliminate that scourge completely. The Special Committee on decolonization still had a significant role to play in that connection.

39. The declaration of the Second International Decade for the Eradication of Colonialism provided an important political framework designed to support the efforts of the international community and, with the support of the United Nations, the peoples of the Non-Self-Governing Territories and the administering Powers, to assist those Territories to exercise their right to self-determination.

40. It was also useful to strengthen cooperation between the Special Committee and the administering Powers with a view to finding innovative methods of revitalizing the process of decolonization in the remaining 16 Non-Self-Governing Territories and enabling the United Nations to close that unfinished chapter of history.

41. His delegation urged the Department of Public Information to make additional efforts to disseminate information that was more targeted towards the populations of the Non-Self-Governing Territories and focused on the choices available to them. The dissemination of information, the sending of missions

to the Territories and the holding of regional seminars were all effective ways of ascertaining the aspirations of the local populations. In that connection, he welcomed the success of the most recent regional Seminar, which had been held in Anguilla from 20 to 22 May 2003.

42. The work of decolonization, which was the responsibility of the international community, needed to be imbued with new life, and it was to be hoped that the international community would step up its efforts to that end, thereby enabling it to devote more time to the challenges of the new millennium.

43. **Mr. Kumalo** (South Africa) said that, despite many General Assembly resolutions and the intensive efforts of the international community, the question of Western Sahara remained on the agenda. The past year had been marked by the full realization of the right to self-determination and independence by the people of Timor-Leste. It would be wonderful if, at its next session, the Committee could celebrate the realization by the people of Western Sahara of their right to self-determination.

44. The existence of a working relationship between Western Sahara and Morocco and the release of over 200 Moroccan detainees by the Frente POLISARIO was a source of optimism for his delegation. The Frente POLISARIO should be congratulated on having taken that important step towards peace, but Morocco and the Frente POLISARIO must cooperate further with the International Committee of the Red Cross to determine the fate of persons unaccounted for since the beginning of the conflict. The resolution of that outstanding matter would only help to build confidence. It was to be hoped that at its fifty-eighth session the General Assembly would use its political will to bring about a just and lasting solution to the question of Western Sahara.

45. His delegation welcomed Security Council resolution 1495 (2003) of 31 July 2003, which should make it possible to resume negotiations with a view to achieving that aim. It also supported the peace plan presented by the Secretary-General's Personal Envoy and endorsed the Secretary-General's call to all parties to act constructively in order to implement it.

46. His delegation was also deeply concerned about the escalation of violence in the Middle East and urged the international community to bring it to an end. Israel must fully implement all General Assembly and

Security Council resolutions by putting an end to foreign occupation so that the Palestinian people could realize its inalienable right to self-determination. The only way to guarantee peace was to have two States living side by side, with Jerusalem as their capital, each enjoying full sovereignty and secure borders.

47. In conclusion, he wished to reiterate that, because of South Africa's commitment to the ideals of self-determination and independence and the realization of the wishes of the peoples, it attached particular importance to the restoration to Iraq of its political independence, sovereignty and territorial integrity. The right to self-determination was the best guarantee of peace among nations.

48. **Mr. Guterres** (Timor-Leste), speaking for the first time in the Fourth Committee since his country's accession to independence, thanked the Secretariat for its excellent work, professionalism and commitment. Thanks to the efforts of many countries, political and religious leaders, non-governmental organizations, the United Nations and the people of his country, Timor-Leste had become a free and democratic country.

49. The Fourth Committee had been remarkably successful. There were still 16 countries on the list, most of them vulnerable island States in the Pacific and Caribbean regions, whose exercise of the right to self-determination should be promoted.

50. The report of the Special Committee (A/58/23) highlighted some progress made by the administering Powers and some new initiatives. His delegation welcomed the visit of the United Nations mission to Tokelau at the invitation of New Zealand and the representatives of the Territory. It also congratulated the United Kingdom and Anguilla on having organized the successful regional Seminar. Such historic initiatives contributed to a better understanding of the needs and aspirations of peoples under colonial rule by creating the visibility needed in a very competitive globalized world. The role played by the administering Power had been crucial in Timor-Leste's accession to independence.

51. It was to be hoped that by the end of the second Decade the work of decolonization would have been completed and that colonial countries and peoples would be enjoying their sovereign rights.

52. With regard to Western Sahara, his delegation, which had been closely following the struggle of the

Saharan people since the 1970s, welcomed the fact that the leaders of the Frente POLISARIO had accepted the Baker plan. He commended the former Secretary of State for his role in bringing peace to that volatile region. His delegation also welcomed the decision by the leaders of the Frente POLISARIO to release a new group of Moroccan prisoners of war, and the fact that both sides were maintaining the ceasefire.

53. In conclusion, his delegation appealed to the Secretary-General and the Security Council to continue to search for a solution in conformity with international law and United Nations resolutions.

54. **Mr. Mounkara-Moussotsi** (Gabon) expressed his appreciation to the Secretary-General for having worked so hard to find a negotiated and lasting political solution that could be accepted by the parties concerned with a view to the achievement of a just and lasting settlement of the problem of Western Sahara, in particular for having proposed the draft Framework Agreement in June 2001 which would give the population of Western Sahara the right to elect their own executive and legislative bodies and to exercise exclusive competence in certain areas. That draft had, however, been accepted only by the Kingdom of Morocco.

55. His delegation saw merit in the peace plan proposed in January 2003 but considered it somewhat risky and therefore difficult to implement. The General Assembly could only encourage the parties to continue their negotiations so as to arrive at a mutually acceptable solution, without interfering with the mission entrusted by the Security Council to the Secretary-General and his Personal Envoy.

56. **Mr. Sengi** (Papua New Guinea) said that the record of the first International Decade for the Eradication of Colonialism had left much to be desired. However, with the full cooperation of all the administering Powers and States Members of the United Nations, the work programmes for each of the 16 remaining Territories could be completed before the end of the new Decade. All the parties concerned needed to think harder and work out ways of helping subjugated peoples to rid themselves of the yoke of colonialism.

57. In that regard, his Government fully supported the work programmes developed for each Territory, which should enable the peoples of the Territories to determine their own future.

58. The experiences of New Caledonia and Tokelau should serve as a guide for cooperation between the Special Committee and the administering Powers. His delegation hoped that the same constructive spirit shown by the United States of America and the United Kingdom as the administering Powers would be forthcoming with respect to the other Territories under their respective jurisdictions.

59. The United Nations mission that had visited Tokelau in 2002 had been able to determine the political will of the population.

60. The Special Committee had also initiated informal consultations with the United States and the United Kingdom regarding American Samoa, Guam, Pitcairn, Anguilla, the Cayman Islands, the Turks and Caicos Islands, Saint Helena and other Territories in the Pacific and Caribbean regions.

61. Work on New Caledonia had started under the Noumea Accords and was progressing with the support of the leaders of the Pacific Island Forum. The Special Committee and States Members of the United Nations should also work to ensure that the Kanak people were able to exercise their right to self-determination.

62. With regard to Western Sahara, his delegation believed that only the political will of the parties concerned would enable the process to move forward. The parties must put the interests of the Saharan people ahead of anything else in order to allow them to exercise their inalienable right to self-determination.

63. His delegation fully supported the proposals for the reforms and restructuring of the United Nations, but felt that they must be carried out comprehensively and with the agreement of Member States. Any revitalization or reform of the United Nations must seek to strengthen the work of the Organization and not to undo the work already accomplished. The interests of the peoples of the 16 Non-Self Governing Territories must not be sacrificed on the altar of reform.

64. In conclusion, he said that, since the second International Decade for the Eradication of Colonialism would end in 2010, the Special Committee had only seven years left in which to complete the work of decolonization in respect of the remaining 16 Territories. It therefore needed to get down to that task.

The meeting rose at 5.05 p.m.